PERKINS COIE LLP

607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011 TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

Lee 10 1 102 m Su

ELLEN L. WEINTRAUB (202) 434-1639 weine@perkinscoie.com December 10, 1998

BY HAND DELIVERY

Ms. Jennifer Boyt
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4821

Dear Ms. Boyt:

On behalf of William R. Pitts, Jr., I write in response to the Complaint filed by Kenneth J. Herman.

Mr. Herman, an unsuccessful third party candidate for Congress, alleges excessive contributions to his political opponent, New York Congressman Rick Lazio, by various individuals, including Mr. Pitts. A review of the actual reports filed by the Lazio campaign shows that Mr. Pitts made a total of \$1,500 in contributions to the campaign in the 1997-98 cycle, as follows:

March 18, 1997:

\$500 for the primary election

(reported by the campaign on July 31, 1997)

May 5, 1998:

\$500 for the primary election; \$500 for the general election

(both reported on July 15, 1998).

Copies of the relevant pages from the Lazio for Congress Reports of Receipts and Disbursements are attached.

Thus, Mr. Pitts contributed a total of \$1,000 towards Congressman Lazio's September, 1998 primary election and \$500 towards Congressman Lazio's November

[29633-0001/DA983370.048]

December 10, 1998 Page 2

3, 1998 general election, in full compliance with the contribution limits of 2 U.S.C. § 441a(a)(1)(A) and 11 C.F.R. § 110.1(b)(1). Mr. Herman does not allege facts to the contrary, but appears not to understand that the contribution limits apply separately to primary and general elections.

Since the complaint fails to allege any facts demonstrating any election law violation by Mr. Pitts, and the record affirmatively establishes that he in fact complied with the legal contribution limits, I respectfully urge that the complaint against Mr. Pitts be immediately dismissed.

Very truly yours,

Ellen L. Weintraub

Ellen L. Werntrand

Counsel for Respondent William R. Pitts, Jr.

Enclosure



Goto Page # Next Page Last Page
TO REPORTS INDEX NEW SEARCH NEW ADVANCED SEARCH

Ti.	(Summary Page)		Au Au	s 3 40 M 'S
뒫	Lazio For Congress	·	40	3 4 1 T 4 5 18 4
56	DDRESS (number and Mise) S Checkfdifferent Web c/o Anthony J. Piccirillo 72 Rast Main Street, Suite 4 TY, STATE and ZIP CODE	Dievidually reported. STATE/DISTRICT	2. FEC IDENTIFICAT C00323618	•
7	Habylon, NY 11702	MA\05	3. 18 THIS REPORT	NO NO
_	4.T	YPE OF REPORT		
	April 15 Quarterly Report	12-Day Pre-Election	a Report for the	pe of Bection)
์⊓	July 18 Quarterly Report	election on	in the Ctate	
	October 15 Quarterly Report	30-Day Port-Electio	n Report for the	
<u> </u>	, , , , , , , , , , , , , , , , , , , ,	7	ing the state of t	Type of Elector)
	January 31 Year End Report	efection on	in the State of	
X	July 31 Mid-Year Report (Non-eduction Year Only)	Terministion Report		
	report contains sty for : Primary Election ';	General Election	Special Election	Found# Blection
 -		SUNMARY	***	
<u> </u>	Covering Period 01/01/97 through 2	06/30/97	COLUMN A	Column &
B.	Net Contributions (other than loars)		12 1	
	(a) Jotal Commoutons (other than losins) (from Line	· 1 (e)]	1 8:312,728.10	\$312,729.10
•	(b) Total Contribution Refunds (from Line 23(d))	<u> </u>	450.00	450.00
	(c) Net Contributions (other than loans) (subtract Lin	ne (6(b) from B(a))	* 312-278-10	312.278.10
7.	Net Operating Expenditures	1.		
••	(a) Total Operating Expenditures (from Line 17)		83,288.37	83,288.37
•	(b) Total Officials to Operating Expenditures (from U	ne 14)	1,318.95	1,318.95
	(c) Net Operating Expenditures (subtract Line 7(b) (81,969,42	81,969,42
	Cash on Hand of Close of Reporting Period (from Line	7	987-178-04	For further information
_	Danta and Chications Owed TO the Committee	1	0.	Federal Election Committee
<u>e.</u> 9.				Westington, DC 29453
e. 9.	(ligenize all on Scheduse C and/or Schedule D)	<u> </u>	1	
	(ligenize all on Schadule C antifor Schadule D)		and ballef it is true, correct	Toli Frag 900-424-0630 . Local 202-218-0420
7	(lignize all on Schadule C antifor Schadule D)		and ballef it in true, correct	
7.	(ligmize all on Schedule C and/or Schedule D) Digits and Obligations Owed Bif the Committee (liemize all on Schedule C andror Schedule D) certify that I have accumined this Report and to the band complete. pa or Frist Name of Treasurer			Local 202-2 (\$-0420
7, T	(lignize all on Schadule C antifor Schadule D)		and ballef it in true, correct	





First Page Previous Page Goto Page # Next Page Last Page
TO REPORTS INDEX NEW SEARCH NEW ADVANCED SEARCH

SCHEDULE A ITEMIZED RECEIPTS	for eac	h categ	schedule(s)	<u></u>	
Contributions from Individuals		io Sumi	nary Page	For Line Number 1 ta (i)	
Any information copied from such Reports and State contributions or for commercial purposes, other than contributions for such committee.	ements may not be sold or us using the name and address	ed by ar of eny	ny parac political	on for the pu committee t	pose of soliciting o solicit
NAME OF COMMITTEE (in Full) Lazio for Congress					
Full Name, Melling Address & Zip Code	Name of Employer Lant & Scrivner			Dete(month day, yearl	Amount of Each Receipt this period
Norman F Lent III Lent & Scrivner 555-13th St.NW ₂ Ste 305E Washington, DC 20004	Occupation		03/18/97	200,00	
Receipt for: X Primery General Other (specify)	- Consultant Aggragate Year To Date >	\$ 2	00.00		Мато
Full Name, Mailing Address & Zip Code Lant & Scrivner	Name of Employer Lent & Scriver			Date(month day, year)	Amount of Each Receipt this period
665-13th Street Buile 305 East Washington, DC 20004	Occupation - Consultants			03/18/97	90.00
Receipt for: X Primary General Other (specify)	Aggregata Year To Date>	\$ 6	00.00		
Full Name, Mailing Address & Zip Code	Name of Employer Capital Cities/ABC			Dete(month day, year)	Amount of Each Receipt this period
William R Pitts 487 North 24th Road Arlington, VA 22207	Occupation			03)18/97	500.00
Receipt for: X Primery General Other (specify)	VP Governmental Ralationa Aggregate Year To Date>		00.00		
Full Namu, Mailing Address & Zlp Code	Name of Employer Rivkin, Radler & Kremer			Date(month day, year)	Amount of Each Receipt this period
Arthur J Kremer 1111 Park Avenus, Apt 10-b New York, NY 10128	Occupation			03/18/97	500.00
Rectipt for: X Primary General Other (specify)	Attorney Aggregate Year To Date >	* 5	00.00	}	
Full Name, Mailing Address & Zip Code	Name of Employer EDM Realty Partners			Oate(month day, year)	Amount of Each Receipt this period
Howard Brumer Edm Realty,750 Lexington Ave New York, NY 10022	Occupation			04/18/97	. 600,00
Receipt for: X Primary General Other (specify)	- Fleat Estate Aggregate Year To Date>	4 5	QO.QQ		
Full Name, Mailing Address & Zip Cade	Name of Employer Peedless Instrument Co. inc.			Date[month day, year)	Amount of Each Receipt this period
Thomas H O'Brien 9 Haig Place Kings Park, NY 11754	Gocupation Director Adv Programs			03/18/97	350.00
Receipt for: X Primery General Other Ispecify)	Aggregate Year To Onte>	* 3	50.00	<u> </u>	

SUBTOTAL of Receipts This Page (optional)----> 2350.00

TOTAL This Pariod(last page this (ine number only)---> 49725.00



Goto Page # Next Page Last Page
TO REPORTS INDEX NEW SEARCH NEW ADVANCED SEARCH

1.	NAME OF OC	MMITTEE (IN NO)	mary Page))		Hedekal Sehissio Hering	ELECT ELECT	
Ì		OR CONGRESS			٠		Ì				
ADORESS (number and street) Check if different c/o ANTHONY J. PICCIRILLO			IRILLO		ously reported.	*****	2 SEC IDENTIFIC		UL 17 I	Z 12 P	
	72 EAST	<u>f main street</u> dzipcode	SULTE	<u>4</u> . s	TATE/DISTRIC	T	2. FEG IDENTIFICATION NI C00323618				
		N, NY 11702			NY/02		3. IS THIS REPO		NO MENDMEN	73	
			4.		OF REPOP						
	April 15 Quart	erly Report		∐ 12	*Day Pre-Electi	ian Hep	or the	rt for the(Type of Election)			
	July 15 Quarterly Report election onin the State of					nie of					
П	October 15 Q	uarterly Report		30	-Day Post-Elec	tion Rep	on fur the			,	
_							(Type of Election)				
	•	-			•						
This	July 31 Miki-Y report contain	ser Report (Non-election		_ ∐ ™	Mination Repo	ort .					
	ty for	Primary	Election	[X] G	eneral Election		Special Election	1 ,,,,,,,,,	Hunol	f Election	
				S	UMMARY						
6.	Covering Po	Mod 04-01-98	through 1	06-30	-98		COLUMN A This Period	C	COLUI		
8-	Net Contrib	utions (other than loars)									
	(a) Total Contributions (other than leans) (from Line 11(a)). (b) Total Contribution Relunds (from Line 20(d))		_ine 11(e)		. 20	3,180.54	{:	373,00	7.54		
				[4,500.00		7,100.00				
		Centributions (other than				10	100 con EA		365,907.54		
	(c) Net (Sattandone (ditar man	rosus) (anonac	r Fille Olo	। बाइका ब्युद्ध्या स्थान						
7.		ng Expenditures Laboration Expenditures	dirom Line 17)	J		_ 9	50,417.24		102,57	7.81	
		•				- 1	32.50		864.84		
(b) Rolei Offsets to Operating Expenditures (from Lin			ED 001 71			<u> </u>	101,712.97				
		Орэгийнд Ехрепопитва (_			<u> </u>					
8.		and at Close of Reporting		ine 27]	***************************************	···	607,872.65		e further list contact:		
8 .	(Itemize all	on Schedule C and/or Sc	chedule D)		······································			90	darus Election 9 E Sheet, N	W	
10.	(Itemize all on Schedule C and/or Schedule DI							Ta	skingten, Di § Frøk 300-4	24-5930	
70	erofy that I h	ave examined this Ac	port and lo th	e pest o	my knowledg	e and b	relief il is true, con	ect Lo	ea) 202-219-1	3420	
		me of Treasurer							,		
(''	ANTHONY CONTROL	J. PICCIRIL	LO					Da	lo _/	1	
L	Partite of 11st	gaule:	All						7/15	low	

7;

American States of the State of



First Page Previous Page Goto Page # Next Page Last Page
TO REPORTS INDEX NEW SEARCH NEW ADVANCED SEARCH

SCHEDULE A TEMIZED RECEIPTS		Use separate for each cate			
Contributions from Individuals			nery Page	For Line Number 11a (1)	
Any information copied from such Reports and Scontinutions or for commercial purposes, other contributions for such committee.	Statements may not be sold or u than using the name and address	ed b	y any perso ny political	on for the pu committee	rpose of soliciting to solicit
NAME OF COMMITTEE (In Full) Lazio (or Congress	4 4 100°		- 14d 49 ram		
Full Name, Malling Address & Zip Code Delow contribution earmarked through: Television & Radio PAC	Name of Employer	Name of Employer			
1771 N Street, N.W. Washington, DC 20036	Occupation			Q5/05/98	\$300,00 MEMO TOTAL FROM
Receipt for: Primary General Other (specify)	Aggregate Year To Data>	\$	300.00		CONDUIT
Full Name, Mailing Address & Zip Code	Name of Employer Tribune Broadcasting			Dats(munth	. Amount of Each Receipt this period
Wayne Vriesman 435 N. Michigen Ave., 1st Fl Chicago, IL 60611	Occupation V.P. Radio Group.			06/05/98	300.00 Earmarked
Receipt for: X Primary General Other (specify)	Aggregate Year To Date>	\$	300.00		
Full Name, Maling Address & Zip Code Sc Iowcontribution earmarked through: Television & Radio PAC	Name of Employer			Datelmonth day, year)	Amount of Each Receipt this period
1771 N Street, N.W. Washington, DC 20038	Occupation			05/05/98	\$500.00 MEMO TOTAL FROM
Receipt for: Primary General Other specify)	Appregate Year To Date>	*	E00.00	}	CONDUIT
Full Name, Mailing Address & Zip Code	Name of Employer Capital Cities/ASC			Date(month day, year)	Amount of Each Receipt this period
Willem R Pitts 21 Dupont Circle Washington, DC 20036	Occupation VP Governmental Relation		سائنسون بعد په کفاد	6E/250\30	500.00 E ermerked
Receipt for: X Primary General Other (specify)	Aggregate Year To Date >		600.00		
Full Name, Mailing Address & Zip Code Claw contribution semarked through: Television & Radio PAC	Name of Employer			Date(month day, year)	Amount of Each Receipt this paried
1771 N Street, N.W. Washington, DC 2003B	Occupation			05/08/98	\$500.00 MEMO TOTAL FROM
Receipt for: Primary General Other (spacify)	Aggregate Year To Data >	É	1000.00		CONDUIT
Full Name, Mailing Address & Zip Code	Name of Employer Capital Citles/ABC			Date(month day, year)	Amount of Each Receipt this period
William R Pitts 21 Deport Circle Washington, DC 20036	Occupation			05/05/98	Edo.00 Eamuked
Processor for: Primary X General Other (specify)	Aggregate Year To Date>		1000.00	<u> </u>	

SUSTOTAL of Receipts This Page (optional)---->

1300,00

TOTAL This Periodillast page this line number only)---->

60800.00

1

1

A HAM THE

ã